

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DARRELL A. CONNOR, Individually and )  
as Executrix of the Estate of CHARLES )  
FRANKLIN CONNOR, Deceased, )

Plaintiffs, )

v. )

Civil Action NO.:1:17-cv-127

NORFOLK SOUTHERN RAILWAY )  
COMPLANY, et al., )

Defendants. )

**JOINT MOTION TO DISMISS WITHOUT PREJUDICE**

NOW COME Plaintiff Darrell A. Connor, Individually and as Executor of the Estate of Charles Franklin Connor, Deceased and Defendant SPX Cooling Technologies, Inc. (hereinafter “SPX”), by and through their undersigned counsel, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure and hereby move the Court for an order dismissing all claims against SPX, and no others in this civil action, without prejudice and with each party bearing their own attorneys’ fees and costs.

This the 24th day of May, 2018.

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Attorney for Defendant

**CERTIFICATE OF SERVICE**

I certify that on May 24, 2018, a copy of the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, and notification of such filing was given by the CM-ECF system to those counsel of record registered to receive a Notice of Electronic Filing for this case.

Respectfully submitted,

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